

**Sole Source Justification Form  
Part I**

Requesting Agency/University: Capital Development Board  
 Name of Requestor: James Ellenberg  
 Project Title: Life Safety-Foellinger Armory/Huff Hall  
 Vendor: Clark Dietz, Inc.  
 Value of Initial Term, or if a Renewal, Value of this Renewal: \$ 99038

Date: 2/27/2013 Bulletin or Reference Number:  
 Department/Bureau/Section: Capital Planning

Value is: ☒ Actual ☐ Estimated

**Term**

- ☐ One-Time Purchase  
☒ Term Contract

Proposed Sole Source Contract Begin Date: 4/1/2013

Proposed Sole Source Contract End Date: 5/1/2016

**Renewals**

# of Potential/Remaining Renewals: N/A

Length of Each Renewal in Months:

Total Value of All/Remaining Renewals: \$

This is a: ☐ New Sole Source

☐ Pre-Negotiated Sole Source Renewal

☒ New Sole Economically Feasible Source

☐ Change Order or Amendment to an Existing Sole Source

Professional and Artistic? ☒ Yes ☐ No

Sole Source may not be used for amendments for Professional or Artistic Services if the amendment would increase the value by more than 5% of the initial award or extend the term by more than 60 days.

Provide a description of the supplies or services required: Design services and to continue warranty, insurance, and other liability requirements or considerations established in the prior contract. Project had been placed on hold.

**Funding**

Select the type of funding to be used (check all that apply):

- ☐ Federal Funds ☒ State Appropriated Funds ☐ State Grant Funds ☐ Other (Explain):

This purchase is economically only available from a single source because it is:

- ☐ Art or Entertainment Services or Athletic Events  
☐ Compatibility of Equipment, Accessories, Replacement Parts or Service  
☐ Critical Changes to the Existing Contract Are Necessary and Best Accomplished by the Contract Holder  
☐ Federal/State Grant Requires Contract with Vendor  
☐ Item is Copyrighted or Patented and the Item is Only Available From the Holder – Copyright or Patent Number(s):  
☐ Item is to be Procured for Commercial Resale  
☐ Items Are Needed for Trial Use or Testing  
☐ Media for Advertising  
☐ Necessary Adjustment of Utility Facilities in Conjunction with Highway Construction  
☐ Organization Memberships (Dues, Fees, Conference Charges Including Mandated Travel and Related Expenses)  
☐ Public Utility Regulated Services  
☐ Radio and Television Broadcast Rights  
☐ Railroad Crossings/Facilities Alterations – Proprietary  
☐ Software License/Upgrade/Maintenance  
☒ Other (Explain): Vendor will complete remaining work from an expired contract and retain warranty, insurance and liability considerations from the previous contract

Has the Agency or University purchased these supplies/services in the past? ☒ Yes ☐ No

If yes, STARTING WITH THE MOST RECENT CONTRACT AND WORKING BACKWARD, for the entire relationship with this vendor for this supply or service, list each term, value, short description and type of procurement of each:

Term:	Term From:	Term To:	Value	Description:	Contract Number:	Type:
One	7/24/2007	9/30/2010	\$ 139903	Design Services	58020210	Competitively Bid
Two			\$			Select One
Three			\$			Select One
Four			\$			Select One
Five			\$			Select One
Six			\$			Select One
Seven			\$			Select One
Eight			\$			Select One
Nine			\$			Select One
Ten			\$			Select One

If more than 10 years, explain:

## Business Rationale

1. Provide a detailed explanation of the need for the supplies or services: Design services required for construction at the University of Illinois' Life Safety-Foellinger Armory/Huff Hall. Contract was allowed to expire inadvertently.
2. Why are the requested supplies or services the only one that can satisfy your requirements? The requirements set forth in the design specifications and plans were prepared by the A/E of record for this project, Clark Dietz. Clark Dietz was selected through competitive QBS process. It is only economically feasible to continue to use Clark Dietz to complete this design.
3. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide specific, quantifiable factors/qualifications: Design work is nearly complete. A/E of record will need to do small changes to update design documents before bid. That State has spent nearly \$140,000 for design work already completed.
4. If services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications: A/E of record for this project has spent significant time and effort of design documents which are nearly ready to be issued for bid. To obtain a new firm to complete this work would be cost prohibitive and burdensome to the state.
5. Were alternative supplies or services evaluated? ☐ Yes ☒ No
  - 5a. If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility:
  - 5b. If no, why were alternatives not evaluated? The architect of record has cardinal knowledge of project and familiar with site conditions, and has professional liability for the design of the project. A new professional firm would require significant time to become familiar with the project, increasing costs and limiting professional liability for both firms. Continuation of this contract will provide the best value to the state.
6. What efforts were made to get the best possible price? CDB has a centralized A/E fee handbook that governs contract negotiations.
7. Will this purchase obligate the State to this vendor for future purchases such as maintenance, licensing or continuing need? ☐ Yes ☒ No
  - 7a. If yes, please provide details regarding future obligations and/or needs:
8. Why is the price for this purchase considered to be fair and reasonable? CDB has an approved centralized fee negotiation process which was utilized for negotiations of the agreed upon fee.
9. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract: No, not a renewal
10. What will be the financial or other impact to the State if this sole source is not approved and a competitive bid is required? The state of Illinois will incur the additional cost of new firm to re-do work already paid for causing increased financial burden to the state.

## Agency Representative Signature Required

I know and understand the contents of this Sole Source Justification and attest that all statements are true and correct.

  
Agency Representative Signature

James Ellenberg  
Printed Name

2/28/13  
Date

217 524-0312  
Agency Representative Telephone Number

james.ellenberg@illinois.gov  
Agency Representative Email Address

## SPO Approval and Signature Required

  
SPO Signature

Chris Flynn  
Printed Name

2/28/2013  
Date

217 558-2185  
SPO Telephone Number

Christopher.Flynn@illinois.gov  
SPO Email Address

**Sole Source Justification Form Part II**

Requesting Agency/University: Capital Development Board  
Project Title: 830-010-334 Life Safety Upgrades - Foellinger Armory/Huff Hall  
Initial Date of Procurement Bulletin Posting: 2/28/2013  
Vendor: Clark Dietz, Inc.

Bulletin or Reference Number: 22030204

Was a Sole Source Hearing requested per 30 ILCS 500/20-25?

- ☒ Yes (Complete Section I below)  
☐ No (Section I not required, go to Section II below)

**Section I – Sole Source Hearing Details**

Hearing Date: 3/14/2013  
Hearing Location: 511 Stratton Building, Springfield, IL 62706

Hearing Time: 3:00 ☐ a.m. ☒ p.m.

The Sole Source Hearing Panel or Officers consisted of the following individuals: Chris Flynn, State Purchasing Officer

The State posted to the Illinois Procurement Bulletin a description of the State's need, the justification for the sole source decision, and information regarding the opportunity to submit comments and testify at a public hearing. Notice of the hearing was also posted outside the hearing room 48 hours prior to the hearing.


- ☐ No members of the public or other entities testified or provided written comments.  
☒ Members of the public or other entities testified and/or provided written comments. See attached.

The public hearing was conducted for the purpose of receiving testimony regarding the sole source determination. The hearing panel recommends the following: Proceed to contract with Clark Dietz, Inc.

The following relevant documents are attached:

- ☐ Written comments submitted prior to, at or after the Sole Source Hearing  
☒ Decision Memo or Written Recommendation of the Hearing Panel  
☐ Hearing Minutes (if minutes were recorded)

The following documents and/or testimony were presented at the public hearing and are attached: Sign-in Sheet for Hearing also attached.

  
Hearing Panel Representative or Officer Signature

Christopher M. Flynn  
Printed Name

3/14/2013  
Date

(217) 558-2185  
Hearing Panel Representative or Officer Telephone

christopher.flynn@illinois.gov  
Hearing Panel Representative or Officer Email Address

**Section II – CPO Approval and Signature Required**

- ☒ Based on my review, I authorize the Agency/University to proceed in accordance with the published Notice referenced above.
- ☐ Based on my review, this procurement the Agency/University is not authorized to proceed with this sole source as presented and my recommendation is that it be cancelled.
- ☐ Based on my review, I authorize the Agency/University to proceed with the following changes:
- ☐ I do not concur for the following reasons:
- ☐ Other:

  
CPO Signature

Lorri Rosenfeldt, Deputy Chief Procurement Officer  
Printed Name

3/15/13  
Date

217-558-2295  
CPO Telephone Number

lorri.rosenfeldt@illinois.gov  
CPO Email Address